

Mr. WESTMORELAND. Sir, that is not a hypothetical.

PARLIAMENTARY INQUIRY

Mr. WESTMORELAND. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state a parliamentary inquiry.

Mr. WESTMORELAND. I am asking you a question about the House rules. If I am not correct, further parliamentary inquiry, you are the arbitrator of those rules; is that true?

The SPEAKER pro tempore. The gentleman is correct that the Chair may describe pending parliamentary situations.

Mr. WESTMORELAND. Further parliamentary inquiry. According to clause 2(a) of rule XX, it says that a recorded vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.

Mr. Speaker, my parliamentary inquiry to you is: When would this rule apply to a vote where, at the end of the time, the outcome was different than what the majority wanted it to be?

The SPEAKER pro tempore. The Chair would advise the gentleman that the rules address the duration of votes in terms of minimum times; 15 minutes is a minimum time, not the maximum. A vote ultimately is called at the Chair's discretion, trying to accommodate all Members who wish to vote.

Mr. WESTMORELAND. Further parliamentary inquiry, Mr. Speaker.

We are talking about a single vote. We are talking about the previous question vote, rolcall No. 145, which was held open past the 15-minute mark to change the outcome. If clause 2(a) of rule XX does not apply to that, what would it apply to?

The SPEAKER pro tempore. The Chair is prepared to elucidate as follows:

It is true that under clause 2(a) of rule XX, a vote by electronic device "shall not be held open for the sole purpose of reversing the outcome of such vote."

In conducting a vote by electronic device, the Chair is constrained to differentiate between activity toward the establishment of an outcome on the one hand, and activity that might have as its purpose the reversal of an already-established outcome, on the other.

The Chair also must be mindful that, even during a vote by electronic device, Members may vote by card in the well. So long as Members are recording their votes—even after the minimum period prescribed for a given question—the Chair will not close a vote to the disenfranchisement of a district whose representative is trying to vote.

Mr. WESTMORELAND. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. WESTMORELAND. Mr. Speaker, what you just read, is that in the rules?

The SPEAKER pro tempore. That is the Chair's elucidation of the rule.

Mr. WESTMORELAND. So it is the Chair's interpretation of the rule, of clause 2(a) of rule XX; it is the Chair's interpretation that the vote can be held open to reverse the outcome of the vote?

The SPEAKER pro tempore. The statement of the Chair speaks for itself. It is the responsibility of the Chair to see to it that each and every Member of the House of Representatives who responds to the vote has a chance to record his or her vote.

Mr. WESTMORELAND. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. WESTMORELAND. Could the Speaker answer me why we have a time limit on votes?

The SPEAKER pro tempore. The 15-minute time period is not a limit. It is a minimum duration. After that, it is in the discretion of the Chair in order to allow all Members a reasonable opportunity to vote.

MOTION TO ADJOURN

Mr. WESTMORELAND. Mr. Speaker, I move we adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. WESTMORELAND. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 142, noes 258, not voting 33, as follows:

[Roll No. 148]

AYES—142

Aderholt	Crenshaw	Inglis (SC)
Akin	Culberson	Jindal
Alexander	Davis (KY)	Jordan
Bachmann	Davis, David	Keller
Bachus	Davis, Tom	King (IA)
Baker	Dent	King (NY)
Barrett (SC)	Diaz-Balart, L.	Kingston
Barton (TX)	Diaz-Balart, M.	Kirk
Biggert	Doolittle	Kline (MN)
Bilbray	Drake	Knollenberg
Bilirakis	Duncan	Lamborn
Bishop (UT)	Ehlers	Latham
Blackburn	Emerson	LaTourette
Blunt	English (PA)	Lewis (KY)
Boehner	Fallin	Lucas
Bonner	Fattah	Lungren, Daniel E.
Bono	Feeney	Manzullo
Boozman	Ferguson	Marchant
Boustany	Fossella	McCarthy (CA)
Brown-Waite,	Fox	McCaul (TX)
Ginny	Franks (AZ)	McCotter
Buchanan	Gallegly	McHenry
Burgess	Garrett (NJ)	McMorris
Burton (IN)	Gerlach	Rodgers
Buyer	Gilchrest	Mica
Calvert	Gingrey	Miller (MI)
Campbell (CA)	Gohmert	Miller, Gary
Cannon	Goodlatte	Murphy, Tim
Cantor	Graves	Musgrave
Capito	Hastert	Myrick
Carter	Hayes	Neugebauer
Castle	Heller	Nunes
Coble	Hensarling	Paul
Cole (OK)	Hobson	Pearce
Conaway	Hunter	

Pence	Ros-Lehtinen	Thornberry
Pickering	Roskam	Tiahrt
Pitts	Sali	Tiberi
Poe	Schmidt	Upton
Porter	Sensenbrenner	Walberg
Price (GA)	Sessions	Walden (OR)
Putnam	Shays	Westmoreland
Regula	Shimkus	Wicker
Rehberg	Shuster	Wilson (NM)
Reichert	Smith (NE)	Wilson (SC)
Renzi	Smith (TX)	Wolf
Reynolds	Sullivan	Young (FL)
Rogers (MI)	Tancredo	
Rohrabacher	Terry	

NOES—258

Abercrombie	Gutierrez	Murphy (CT)
Allen	Hall (NY)	Murphy, Patrick
Altmire	Hall (TX)	Murtha
Andrews	Hare	Nadler
Arcuri	Harman	Napolitano
Baca	Hastings (FL)	Neal (MA)
Baird	Herger	Oberstar
Baldwin	Hersteth	Obey
Barrow	Higgins	Ortiz
Bartlett (MD)	Hill	Pallone
Bean	Hinchey	Pascarell
Becerra	Hinojosa	Pastor
Berkley	Hirono	Payne
Berman	Hodes	Perlmutter
Berry	Hoekstra	Peterson (MN)
Bishop (GA)	Holden	Peterson (PA)
Bishop (NY)	Holt	Petri
Blumenauer	Honda	Platts
Boren	Hooley	Pomeroy
Boswell	Hoyer	Price (NC)
Boucher	Inslee	Pryce (OH)
Boyd (FL)	Israel	Rahall
Brady (PA)	Issa	Ramstad
Brady (TX)	Jackson (IL)	Rangel
Braley (IA)	Jackson-Lee	Reyes
Brown, Corrine	(TX)	Rodriguez
Butterfield	Johnson (GA)	Rogers (KY)
Capuano	Johnson (IL)	Ross
Cardoza	Johnson, E. B.	Rothman
Carnahan	Jones (NC)	Roybal-Allard
Carney	Jones (OH)	Royce
Carson	Kagen	Ruppersberger
Castor	Kanjorski	Rush
Chabot	Kaptur	Ryan (OH)
Chandler	Kennedy	Salazar
Clarke	Kildee	Sanchez, Linda T.
Clay	Kilpatrick	Sanchez, Loretta
Cleaver	Kind	Sarbanes
Clyburn	Klein (FL)	Schakowsky
Cohen	Kucinich	Schiff
Conyers	Kuhl (NY)	Schwartz
Cooper	Lampson	Scott (GA)
Costa	Langevin	Scott (VA)
Costello	Lantos	Serrano
Courtney	Larsen (WA)	Sestak
Cramer	Lee	Shea-Porter
Crowley	Levin	Sherman
Cubin	Lewis (CA)	Shuler
Cuellar	Lewis (GA)	Simpson
Cummings	Lipinski	Sires
Davis (AL)	LoBiondo	Skelton
Davis (CA)	Loeback	Slaughter
Davis (IL)	Lofgren, Zoe	Smith (NJ)
Davis, Lincoln	Lowey	Smith (WA)
DeFazio	Lynch	Snyder
DeGette	Mahoney (FL)	Solis
DeLauro	Maloney (NY)	Souder
Dingell	Markey	Space
Doggett	Marshall	Spratt
Donnelly	Matheson	Stearns
Doyle	Matsui	Stupak
Dreier	McCarthy (NY)	Sutton
Edwards	McCollum (MN)	Tanner
Ellison	McDermott	Tauscher
Ellsworth	McGovern	Taylor
Emanuel	McHugh	Thompson (CA)
Engel	McIntyre	Thompson (MS)
Eshoo	McKeon	Tierney
Etheridge	McNerney	Towns
Everett	McNulty	Turner
Filner	Meek (FL)	Udall (CO)
Fortenberry	Meeks (NY)	Udall (NM)
Frank (MA)	Melancon	Van Hollen
Frelinghuysen	Michaud	Velázquez
Giffords	Millender	Vislosky
Gillibrand	McDonald	Walsh (NY)
Gillmor	Miller (NC)	Walz (MN)
Gonzalez	Mitchell	Wamp
Goode	Mollohan	Wasserman
Gordon	Moore (KS)	Schultz
Green, Al	Moore (WI)	Waters
Green, Gene	Moran (KS)	Watson
Grijalva	Moran (VA)	